

REMARKS

In view of the foregoing claim amendments, and the remarks that follow, applicants respectfully submit that all of the pending claims are in condition for allowance.

Rejection of Claims 1, 67, 75, 82-88, and 91-97 Under 35 U.S.C. § 112, First Paragraph, As Failing to Comply With the Written Description Requirement

Applicants note that Claims 1 and 67 have been amended to recite that the (-)-camphene synthase encoded by the claimed nucleic acid molecules and vectors comprises an amino terminal half and a carboxy terminal half, wherein the carboxy terminal half comprises amino acid sequence motif DDXXD. Support for these claim amendments is found in the specification at least at page 64, lines 31-32.

Applicants submit that the claimed nucleic acid molecules are adequately described by: (1) the ability of the claimed nucleic acid molecules to hybridize under defined, stringent, hybridization conditions to a probe nucleic acid molecule; (2) the protein encoded by the nucleic acid molecule possesses (-)-camphene synthase activity; and (3) the presence of the characteristic sequence motif DDXXD within the carboxy terminal half of the encoded protein. Applicants note that an assay for identifying (-)-camphene synthase activity is described in the specification in Example 3.

Applicants respectfully request withdrawal of the rejection of Claims 1, 67, 75, 82-88, and 91-97 under 35 U.S.C. § 112, first paragraph (written description).

Rejection of Claims 1, 67, 75, 82-88, and 91-97 Under 35 U.S.C. § 112, First Paragraph, for Lack of Enablement

The Examiner argues that the full scope of the claimed invention is not enabled because the specification does not provide sufficient guidance with respect to where and how to obtain isolated nucleic acid molecules that encode a (-)-camphene synthase, and that hybridize to the complement of the portion of SEQ ID NO:3 extending from nucleotide 1560 to nucleotide 1694 under hybridization conditions of 3 X SSC at 65°C for 16 hours, followed by one wash in

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0.5 X SSC at 55°C for 30 minutes. In particular, the Examiner argues that one cannot predictably obtain nucleic acid molecules that encode a (-)-camphene synthase from any unspecified source, as monoterpene synthases such as (-)-camphene synthase enzymes appear to be unique to certain members of the plant kingdom.

Applicants submit that one of ordinary skill in the art can readily identify plant species that produce (-)-camphene, and which therefore produce a (-)-camphene synthase that catalyzes the formation of the (-)-camphene. For example, included herewith, as Attachment A, is a photocopy of page 261 of the Merck Index (11th edition, 1989, Merck & Co., Inc., Rahway, New Jersey) that discloses, under entry number 1736 (Camphene) that (-)-camphene (also referred to as *l*-camphene) occurs in many essential oils, such as in turpentine (the generic name for the essential oils of conifers), in bergamot oil, in oil of citronella, neroli, ginger, and valerian. Additionally, included herewith as Attachment B, is a photocopy of page 66 of the Essential Oils, Volume II (E. Guenther ed., R.E. Krieger, New York, N.Y., 1975) which discloses that "*d*-, *l*- and *dl*-Camphene occur in nature quite widely distributed", and that *l*-Camphene is found "in Siberian pine needle oil, in the oil distilled from the needles of *Abies concolor*, of *Pinus palustris*, in American and Russian turpentine oil, in Ceylon citronella oil, valerian oil, etc."

Applicants submit that the plants that produce (-)-camphene must, therefore, produce a (-)-camphene synthase that catalyzes the formation of the (-)-camphene. Consequently, applicants submit that the prior art provides one of ordinary skill in the art with ample guidance to identify plant species from which to isolate a nucleic acid molecule encoding (-)-camphene synthase.

Additionally, applicants submit that the present specification provides ample guidance for isolating a nucleic acid molecule (*e.g.*, cDNA molecule) encoding a (-)-camphene synthase from a plant source. For example, the present application describes, in Example 12, probes and hybridization conditions that can be used to screen nucleic acid libraries to identify nucleic acid molecules that encode monoterpene synthases, including (-)-camphene synthases. Example 3 of

the present application describes an assay that can be used to determine the principal product produced by a candidate monoterpene synthase protein that utilizes geranyl diphosphate as a substrate. As set forth at page 10, lines 1-5, of the present application, a (-)-camphene synthase principally produces (-)-camphene from geranyl diphosphate.

Again by way of example, pages 20-22 of the present application disclose representative eukaryotic expression systems for expressing nucleic acid molecules that encode (-)-camphene synthase. Page 22, line 9, through page 24, line 29, describes representative methods for stably transforming a plant with a nucleic acid molecule that encodes a monoterpene synthase, such as (-)-camphene synthase, for expression of the protein therein. Again, by way of example, page 26, line 19, through page 28, line 6, discloses representative methods for expressing monoterpene synthase proteins in prokaryotes. Thus, applicants submit that the prior art, together with the teachings of the present application, amply describe sources of (-)-camphene synthases, and methods for their cloning and expression.

The examiner further argues that the effect of expressing a nucleic acid encoding a (-)-camphene synthase in any unspecified eukaryotic cell is unpredictable, since monoterpenes such as camphene that would be produced as a consequence of (-)-camphene synthase expression are known to be toxic to certain types of eukaryotic cells. Applicants submit that the prior art, and the teachings of the present specification, provide ample guidance for expressing a nucleic acid molecule encoding a (-)-camphene synthase in any eukaryotic cell. Assuming, as the examiner suggests, that some eukaryotic cells may react adversely to the expression of camphene therein, applicants submit that undue experimentation is not required to identify eukaryotic cell types that tolerate expression of (-)-camphene. In this regard, submitted herewith as Attachment C is the declaration of inventor Rodney B Croteau (hereinafter referred to as the Croteau Declaration). The Croteau Declaration describes the successful expression of a (-)-camphene synthase cDNA, and production of (-)-camphene, in eukaryotic *Saccharomyces cerevisiae* cells.

In view of the foregoing arguments, and the evidence presented in the Croteau Declaration, applicants respectfully request withdrawal of the rejection of Claims 1, 67, 75, 82-88, and 91-97 under 35 U.S.C. § 112, first paragraph (enablement).

CONCLUSION

In view of the foregoing claim amendments, arguments, and the evidence presented in the Croteau Declaration, applicants respectfully submit that all of the pending claims are in condition for allowance. Reconsideration and favorable action are requested. Respectfully submitted,

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①

Camphene

C1=CC(C)C(C)C1

As camphene may be obtained by solution in alcohol, it should lend itself to isolation.

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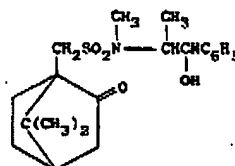
1707

Camphamedrine

Crystals from acetone. mp 157-158°. $[\alpha]_D^{25} -33^\circ$ (22.5 mg in 5 ml chloroform).

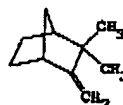
Acetate, $C_{20}H_{28}O_4$, crystals from alc, mp 137-138°. $[\alpha]_D^{25} -35^\circ$ (28.8 mg in 1 ml chloroform).

1707. Camphamedrine. *N*-(β -Hydroxy- α -methylphenethyl)-*N*-methyl-10-camphorsulfonamide; *N*-camphosulfonyl-ephedrine; *d*-1-phenyl-2-(*N*-methyl- β -camphosulfonylamino)propanol; Camphotone; Cardenyl. $C_{20}H_{28}NO_4S$; mol wt 379.52. C 63.30%, H 7.70%, N 3.69%, O 16.86%, S 8.45%. Prep'd from β -camphosulfonyl chloride and ephedrine; Ledrut, U.S. pat. 2,640,876 (1953 to Luxema).



Crystals, mp 157-160°. Sol in chloroform, acetone, benzene; slightly sol in cold water. uv max: 252, 258, 264.5 nm. THERAP CAT: Analeptic.

1708. Camphene. 2,2-Dimethyl-3-methylenebicyclo[2.2.1]heptane; 2,2-dimethyl-3-methylenenorbornane; 3,3-dimethyl-2-methylenenorcamphane. $C_{10}H_{16}$; mol wt 136.23. C 88.16%, H 11.84%. Occurs in many essential oils, such as turpentine (*levo* and *dextro* forms), in cypress oil (*dextro* form), in camphor oil from species of *Lauraceae* (*dextro*), in bergamot oil, in oil of citronella, neroli, ginger, valerian. Reviews on isolation, preparation and properties: J. L. Simonsen, *The Terpenes* vol. II (Cambridge Univ. Press, 1949) pp 280-322; S. Guenther, *The Essential Oils* vol. II (Van Nostrand, 1949) pp 66-70. Synthesis: G. W. Hana, H. Koch, *Ber.* 111, 2527 (1968).

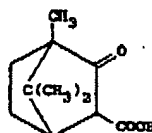


dl-Form, cubic crystals from alcohol. Large dodecahedra by slow sublimation. Volatilizes on exposure to air. Inispid odor. mp 51-52°. bp₇₆₀ 158.5-159.5°; bp₁₀₀ 92.4°; bp₁₄ 55-56°. $d_4^{25} 0.8422$. $n_D^{25} 1.45514$. Practically insol in water. Moderately sol in alcohol; sol in ether, cyclohexane, cyclohexene, dioxane, chloroform.

d-Form, mp 52°. $[\alpha]_D^{25} +103.5^\circ$ ($c = 9.67$ in ether). $d_4^{25} 0.8486$. $n_D^{25} 1.4605$.

l-Form, mp 52°. $[\alpha]_D^{25} -119.11^\circ$ ($c = 2.33$ in benzene). $d_4^{25} 0.8422$. $n_D^{25} 1.4620$.

1709. *d*-Camphocarboxylic Acid. 4,7,7-Trimethyl-3-oxobicyclo[2.2.1]heptane-2-carboxylic acid; *d*-2-oxo-3-bornanecarboxylic acid; *d*-3-camphorcarboxylic acid; *d*-2-oxo-3-camphanecarboxylic acid; *d*-3-carboxy-2-bornanone; *d*-3-carboxy-2-camphanone. $C_{11}H_{16}O_3$; mol wt 196.24. C 67.32%, H 8.22%, O 24.46%. Prep'd by carboxylation of *d*-camphor; Brühl, *Ber.* 24, 3373 (1891).



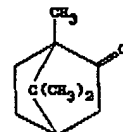
Crystals from benzene, water, ether, or 50% alcohol. mp 127-128°. Sparingly sol in cold water, more sol in warm water; sol in alcohol, ether, chloroform, in about 2 parts boiling benzene. Sparingly sol in cold benzene. Practically insol in cold petr ether; very slightly sol in boiling petr ether. For solu contg 0.38 g in 25 ml solvent: $[\alpha]_D^{25} +18^\circ$ (benzene), $+60^\circ$ (alcohol), $+73.3^\circ$ (water).

Ammonium salt, $C_{11}H_{19}NO_3$, camphylphor solubilized.

Basic bismuth salt, $C_{20}H_{28}Bi_2O_{11}$, Bi muth, Camphobismok. Prepn: Raiziss, C 1,921,638 (1933 to Abbott). Powder. Practically insoluble in water; soluble in benzene, oils.

THERAP CAT: Basic bismuth salt former

1710. Camphor. 1,7,7-Trimethylbicyclo[2.2.1]heptan-2-one; 2-bornanone; 2-camphanone; 2-ke norcamphane; gum camphor; Japan c camphor; laurel camphor. $C_{15}H_{22}O$; $n_D^{25} 1.4889$, $H 10.60\%$, $O 10.51\%$. Occurs camphor tree, *Cinnamomum camphora* L. ex. *Lauraceae*. *Habit*: Java, Sumatra, C incos), Japan, Formosa, Brazil. Obtainer tion from comminuted trees which sho years old. Description of various ind Gubelmann, Elley, *Ind. Eng. Chem.* 26, 5 in Kirk-Othmer *Encyclopedia of Chemica* (Wiley, New York, 2nd ed., 1964) pp 54 cesses start with vinyl chloride and cycl tain the important intermediate dehydrot Review of syntheses: K. Alder in *New d lve Organic Chemistry* (New York, 1948) *The Total Synthesis of Natural Products* v Ed. (Wiley-Interscience, New York, 1 More than three-fourths of the camphor produced synthetically (usually from pir sold in the racemic form, although the l *d*-form. Config: Freudenberg et al., *At*



Translucent mass with crystalline frac dral crystals from alcohol. Cubic crysta chilling. Familiar fragrant and penetrati bitter and cooling taste. $d_4^{25} 0.992$, mp 1 capillary, 2 mm diam). bp 204°. Sublir room temp and press. *Keep in tight cov heat*. At 80° and 12 mm press 14% sublin utes. Very volatile in steam. $[\alpha]_D^{25} +41^\circ$ t U.S.P. alcohol) according to U.S.P. speci tent of the ethanol influences the rotation $+43.8^\circ$ ($c = 7.5$ in abs alcohol). uv max At 25° one gram dissolves in about 800 i colloidal soln), in 1 ml alcohol, 1 ml eth form, 0.4 ml benzene, 0.4 ml acetone, 1.2 tine, 0.5 ml glacial acetic acid. Sol in ani carbon disulfide, tetralin, decalin, methyl in the higher alcohols, in fixed and volatil coned mineral acids in phenol, in liquid SO₂. Camphor has a peculiar tenacity an dered in a mortar unless it is moistene solvent. Liquefies when triturated with menthol, resorcinol, salol, β -naphthol, urethan. LD₅₀ l.p. in mice: 3000 mg/ Margolis, *Am. J. Pathol.* 30, 857 (1954).

Incompat: Incompatible with potassium salts of any kind should not be added t

Human Toxicity: Ingestion or injection vomiting, vertigo, mental confusion, delir sions, coma, respiratory failure, death, *Ch Commercial Products*, R. E. Gosselin et al. Wilkins, Baltimore, 4th ed., 1976) Secti USE: Excellent plasticizer for cellulose used in manuf of plastics, esp celluloid; in nishes; in explosives; in pyrotechnics; as embalming fluids; in manuf cymene; as p macochemicals and cosmetics.

THERAP CAT: Topical anti-infective; te